

(7) the Texas Department of Health and facilities and institutions under its jurisdiction;

(8) the Texas *Juvenile Justice Department* [~~Youth Commission~~] and facilities and institutions under its jurisdiction; and

(9) the governing boards of Centers for Community Mental Health and Mental Retardation Services, county hospitals, city hospitals, city-county hospitals, hospital authorities, hospital districts, affiliated state agencies, and each of their political subdivisions.

SECTION 149. Section 41.301(2), Government Code, is repealed.

SECTION 150. If any provision of this Act conflicts with a provision of another Act of the 84th Legislature, Regular Session, 2015, the provision of the other Act controls to the extent of the conflict, regardless of the date of enactment.

SECTION 151. This Act takes effect September 1, 2015.

Passed by the House on May 12, 2015: Yeas 143, Nays 1, 2 present, not voting; passed by the Senate on May 26, 2015: Yeas 31, Nays 0.

Approved June 17, 2015.

Effective September 1, 2015.

**MONEY DISTRIBUTED BY THE SCHOOL LAND BOARD TO
THE AVAILABLE SCHOOL FUND OR TO THE STATE BOARD
OF EDUCATION FOR INVESTMENT IN THE PERMANENT
SCHOOL FUND**

CHAPTER 735

H.B. No. 1551

AN ACT

relating to money distributed by the School Land Board to the available school fund or to the State Board of Education for investment in the permanent school fund.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 51.413, Natural Resources Code, is amended to read as follows:

Sec. 51.413. TRANSFERS FROM THE REAL ESTATE SPECIAL FUND ACCOUNT TO THE AVAILABLE SCHOOL FUND AND THE PERMANENT SCHOOL FUND. (a) The board may, by a resolution adopted at a regular meeting, release from the real estate special fund account funds previously designated under Section 51.401 [~~of this chapter~~] or managed, used, or encumbered under Section 51.402 or Section 51.4021 [~~of this chapter~~] to be deposited in the State Treasury to the credit of:

(1) the available school fund; or

(2) the State Board of Education for investment in the permanent school fund.

(b) *The board shall adopt rules to establish the procedure that will be used by the board to determine the date a transfer will be made and the amount of money that will be transferred to the available school fund or to the State Board of Education for investment in the permanent school fund from the real estate special fund account as provided by Subsection (a).*

SECTION 2. Subchapter I, Chapter 51, Natural Resources Code, is amended by adding Section 51.4131 to read as follows:

Sec. 51.4131. **REPORT ON ANTICIPATED TRANSFER OF FUNDS.** *Not later than September 1 of each even-numbered year, the board shall submit to the legislature, comptroller, State Board of Education, and Legislative Budget Board a report that,*

specifically and in detail, states the date a transfer will be made and the amount of money the board will transfer during the subsequent state fiscal biennium from the real estate special fund account of the permanent school fund established under Section 51.401 to the available school fund or the State Board of Education for investment in the permanent school fund.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on May 7, 2015: Yeas 141, Nays 0, 2 present, not voting; passed by the Senate on May 26, 2015: Yeas 31, Nays 0.

Approved June 17, 2015.

Effective June 17, 2015.

TESTING CERTAIN DEFENDANTS OR CONFINED PERSONS FOR COMMUNICABLE DISEASES

CHAPTER 736

H.B. No. 1595

AN ACT

relating to testing certain defendants or confined persons for communicable diseases.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The heading to Article 18.22, Code of Criminal Procedure, is amended to read as follows:

Art. 18.22. TESTING CERTAIN DEFENDANTS OR CONFINED PERSONS FOR COMMUNICABLE DISEASES [~~FOLLOWING CERTAIN ARRESTS~~].

SECTION 2. Article 18.22, Code of Criminal Procedure, is amended by amending Subsections (a) and (b) and adding Subsection (d) to read as follows:

(a) A person who is arrested for a misdemeanor or felony and who during the commission of that offense or ~~the [an] arrest, during a judicial proceeding or initial period of confinement following the arrest, or during the person's confinement after a conviction or adjudication resulting from the arrest [commission of that offense]~~ causes the person's bodily fluids to come into contact with a peace officer, a magistrate, or an employee of a correctional facility where the person is confined [~~to come into contact with the person's bodily fluids~~] shall, at the direction of the court having jurisdiction over the arrested person, undergo a medical procedure or test designed to show or help show whether the person has a communicable disease. The court may direct the person to undergo the procedure or test on its own motion or on the request of the peace officer, *magistrate, or correctional facility employee*. If the person refuses to submit voluntarily to the procedure or test, the court shall require the person to submit to the procedure or test. Notwithstanding any other law, the person performing the procedure or test shall make the test results available to the local health authority, and the local health authority shall notify the peace officer, *magistrate, or correctional facility employee, as appropriate*, of the test result. The state may not use the fact that a medical procedure or test was performed on a person under this article, or use the results of the procedure or test, in any criminal proceeding arising out of the alleged offense.

(b) Testing under this article shall be conducted in accordance with written infectious disease control protocols adopted by the *Department [Texas Board]* of State Health Services that clearly establish procedural guidelines that provide criteria for testing and that respect the rights of the arrested person and the peace officer, *magistrate, or correctional facility employee*.